

(Washington, D.C.) – Congressman Wally Herger (R-CA), Ranking Member of the Ways & Means Subcommittee on Health, issued a statement in response to the Administration’s double standard in the debate on health care reform. The Administration recently instituted and reversed a gag order on Medicare Advantage (MA) providers, initially wrongly claiming that Democrat proposals to cut Medicare were inaccurate. Since then, the Administration has changed their justification for their actions and is reiterating standing policy that claiming that taxpayer dollars were being should not be improperly used for lobbying activities. At the same time the Department of Health and Human Services (HHS) itself urges visitors to its website to state their support for the Democratic health care plan in apparent violation of laws that expressly prohibit government agencies federal funds from being used to lobby advocating for legislation. Herger comments follow:

“Taxpayer dollars should not be used to fund government propaganda. The Administration saw fit to hastily limit free speech when faced with factual opposition, regardless of how the communication was paid for, yet they continue to use taxpayer dollars and the official HHS website to push their misguided plan for a government takeover of health care. This double standard is a continuation of the Chicago-style politics that we’ve seen from this Administration. The ‘gag order’ was reversed only after the majority of Americans and media, including the New York Times, stood up and called for the Administration to allow an open debate. I urge President Obama and Secretary Sebelius to stop using taxpayer money to lobby for their government-run health care bill. The American people have said loud and clear that they don’t want a government takeover of health care, and the government shouldn’t be using their money to spread partisan propaganda while attempting to restrict the First Amendment rights of private companies to provide factual information about this dangerous plan.”

Background:

Herger previously sent a [letter](#) to Health and Human Services (HHS) Secretary Kathleen Sebelius criticizing the controversial “gag order” issued by the Center for Medicare Services (CMS) after Humana, Inc., a Medicare Advantage (MA) provider, sent its enrollees factual information about Medicare cuts that would occur under the Democrats’ health care legislation and posted the information on a website. CMS, which subsequently reversed the gag order amid public outcry over the wrongful silencing of free speech.

The HHS website has a link urging visitors to “State Your Support” for the Democrats’

government-run health care plan by sending a pre-written letter to the Administration. This [letter](#) is hosted on HealthReform.gov, which states that it “is an official U.S. Government Web site managed by the U.S. Department of Health & Human Services.” Section 717 of the Omnibus Appropriations Act of 2009, which funds HHS, expressly prohibits government agencies from using funds for “publicity or propaganda purposes” or for the “preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress.”